

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

JOHNNY HA, JENNY PHAM a/k/a)
JENNY HA, and HELEN LE,)
)
 Plaintiffs,)
)
 v.)
)
 TINA CONN,)
)
 Defendant.)

Civil Action No.: 2:20-cv-155-wks

SECOND AMENDED STIPULATED DISCOVERY SCHEDULE/ORDER

The parties respectfully submit this Second Amended Stipulated Discovery Schedule/Order pursuant to Local Rule 26(a)(2) and the Minute Entry regarding the November 6, 2023 discovery conference (ECF No. 105). This Second Amended Stipulated Discovery Schedule/Order supersedes ECF No. 12 (filed Dec. 22, 2020) and ECF No. 21 (filed Aug. 2, 2021).

INTRODUCTION

1. In this case, discovery may be needed on the following subjects:
 - (a) Plaintiffs' allegations in their January 8, 2021 First Amended Complaint (ECF No. 13);
 - (b) Defendant's responses and affirmative defenses in her January 25, 2021 Answer to the First Amended Complaint (ECF No. 14); and
 - (c) Any other matters on which discovery is permitted by Fed. R. Civ. P. 26(b)(1).

Unless noted here to the contrary and in more detail, discovery in this matter shall not be conducted in phases or limited to particular, enumerated issues.

2. The parties have conferred about disclosure, discovery, and preservation of electronically stored information (“ESI”). Unless noted otherwise, ESI shall be produced in the following format(s): The form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

3. The parties have conferred about claims of privilege and claims of protection as trial-preparation materials. The parties have agreed on the following procedure to assert these claims after production: The procedure established by F. R. Civ. P. 26(b)(5)(B) and F.R.E. 502. Unless specifically requested in a filing with this Court, the parties’ agreed procedure will not be the subject of a Court order under Federal Rule of Evidence 502.

4. Any changes in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the Local Rules for this District shall be specifically described below.

DEADLINES

5. The parties shall serve initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before Not Applicable / Deadline Passed.

6. The parties shall serve all interrogatories and requests for production by Not Applicable / Deadline Passed.

7. Depositions of all non-expert witnesses shall be completed by **APRIL 26, 2024**.

8. Plaintiffs shall submit expert witness reports by Not Applicable / Deadline Passed. Depositions of Plaintiffs’ expert witnesses shall be completed by Not Applicable / Deadline Passed.

9. Defendant shall submit expert witness reports by Not Applicable / Deadline Passed. Depositions of Defendant’s expert witnesses shall be completed by Not Applicable / Deadline Passed.

10. The Early Neutral Evaluation session shall be conducted on or before Not Applicable / The ENE session was conducted on March 25, 2021.
11. The parties shall serve all requests for admission by Not Applicable / Deadline Passed.
12. All discovery shall be completed by **APRIL 26, 2024.**
13. Motions for joinder of parties shall be filed by Not Applicable / Deadline Passed.
14. Motions, including preliminary injunction, summary judgment motions but excluding motions relating to the conduct of the trial, shall be filed by **MAY 31, 2024.**
15. This case shall be ready for trial by **AUGUST 5, 2024.**

Dated: November 20, 2023
Burlington, Vermont

Respectfully submitted,

MSK ATTORNEYS

By: /s/ Daniel A. Seff
Daniel A. Seff

275 College Street
P.O. Box 4485
Burlington, VT 05406-4485
Phone: (802) 861-7000 (ext. 1190)
Fax: (802) 861-7007
Email: dseff@mskvt.com

*Attorneys for Plaintiffs Johnny Ha, Jenny Pham
(a/k/a Jenny Ha) and Helen Le*

Dated: November 20, 2023
Burlington, Vermont

Respectfully submitted,

LANGROCK SPERRY & WOOL

By: /s/ Justin G. Sherman
Justin G. Sherman

210 College Street
P.O. Box 721
Burlington, VT 05402-0721
Phone: 802.864.0217
Fax: 802.864.0137
Email: jsherman@langrock.com

Attorneys for Defendant Tina Conn

APPROVED and SO ORDERED:

/s/ William K. Sessions III

United States District Judge

Date: November 21, 2023